

## Message Text

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62  
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S -HDCOLLUMS  
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E.O. 11652: GDS

TAGS: EAIR, UR, US

SUBJECT: ACTION MEMORANDUM - GROMYKO MESSAGE REGARDING  
US-SOVIET CIVIL AIR RELATIONS (S/S NO. 7619820 )

FOR THE SECRETARY FROM HARTMAN AND KATZ THROUGH SONNENFELDT

### 1. THE PROBLEM

WE ARE FAR FROM A SATISFACTORY CIVIL AVIATION AGREEMENT ON  
SCHEDULED AND CHARTER FLIGHT SERVICES. FOREIGN MINISTER  
GROMYKO HAS SENT YOU AN ORAL MESSAGE REGISTERING HIS  
CONCERN (STATE 220255, TOSEC (260078). WE BELIEVE IT IS  
IMPORTANT FOR US TO REPLY YOU MEET GROMYKO AT THE  
UNGA.

### 2. BACKGROUND/ANALYSIS

GROMYKO'S MESSAGE IS COMPRISED OF (A) SOVIET COMPLAINTS  
ABOUT THE USG'S DISAPPROVAL OF A 1975 PAN AM-AEROFLOT  
AGREEMENT (WHICH WOULD HAVE ONLY AGGRAVATED THE IMBALANCE  
OF BENEFITS ALREADY HEAVILY IN AEROFLOT'S FAVOR), (B)  
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AS A "PRETEXT" FOR IMPEDED FURTHER CIVIL AVIATION DEVELOPMENTS AND (C) AN IMPLICIT THREAT TO CUT OFF US CHARTER FLIGHTS TO THE USSR AFTER MARCH 31, 1977 IF A CIVIL AVIATION AGREEMENT SATISFACTORY TO THEM IS NOT REACHED. ITS CONCLUDING PARAGRAPH, HOWEVER, SUGGESTS THAT THE SOVIETS MAY BE WILLING TO RESUME MEANINGFUL NEGOTIATIONS.

THE LAST THREE ROUNDS OF TALKS PRODUCED NO AGREEMENT ON SCHEDULED AND CHARTER SERVICES, ALTHOUGH THE US MADE SEVERAL PROPOSALS (INCLUDING REVENUE POOLING) WHICH WOULD INCREASE AIR SERVICES AND MARKET SHARES, AND AT THE SAME TIME CORRECT THE FUNDAMENTAL IMBALANCE OF BENEFITS. THE SOVIETS REFUSED TO CONSIDER THE US PROPOSALS AND FAILED TO OFFER ANY NEW ALTERNATIVES OF THEIR OWN. NO DATE FOR THE NEXT MEETING HAS BEEN SET, BUT IT IS OPEN TO EITHER SIDE TO REQUEST IT. ORDINARILY, IN THE ABSENCE OF AN AGREEMENT, THE AIRLINES WOULD BE AUTHORIZED TO OPERATE ONLY TWO FLIGHTS PER WEEK AFTER OCTOBER 31 (THEY ARE CURRENTLY AUTHORIZED TO OPERATE FOUR).

THE SITUATION HAS BEEN EXACERBATED BY THE SOVIETS' REFUSAL SINCE MAY TO ISSUE TICKETS TO CERTAIN PERSONS DESIRING TO LY INDIRECT ROUTES ON PAN AM, THUS VIOLATING ARTICLE 14 OF THE 1966 CIVIL AIR TRANSPORT AGREEMENT AND THE INTERLINE AGREEMENT UNDER WHICH THE AIRLINES AGREED TO ACT AS EACH OTHER'S SALES AGENTS IN THEIR RESPECTIVE COUNTRIES. WE HAVE MADE REPRESENTATIONS CONCERNING THIS MATTER, AND HAVE ASKED THE CIVIL AERONAUTICS BOARD TO RESTRICT THE SALE OF AEROFLOT SERVICES IN THE US. WE ARE URGING THE CAB TO ACT ON THIS QUESTION QUICKLY.

IN ADDITION, AEROFLOT HAS THREATENED TO DISALLOW US CHARTER FLIGHTS AFTER MARCH 31, 1977 IF THEY DO NOT GET THEIR WAY ON A GENERAL CIVIL AIR AGREEMENT. WE WERE GIVEN ASSURANCES FOR THE FACILITATION OF CHARTER FLIGHTS IN 1973 AS AN IMPLICIT "QUID PRO QUO" FOR AEROFLOT RIGHTS TO SERVICE WASHINGTON. IF THE SOVIETS CUT CHARTER FLIGHTS, WE SEE NO REASON WHY THEY SHOULD BE ALLOWED TO OPERATE FLIGHTS TO BOTH NEW YORK AND WASHINGTON. ELIMINATING ONE OR THE OTHER SERVICE WOULD REDUCE AEROFLOT TO ONE

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FREQUENCY PER WEEK.

### 3. RECOMMENDATION

THAT YOU AUTHORIZE US TO MAKE THE FOLLOWING REPLY TO THE SOVIET EMBASSY AT AN APPROPRIATE LEVEL.

APPROVE      DISAPPROVE

BEGIN TEXT. SECRETARY KISSINGER HAS AUTHORIZED ME TO  
MAKE THE FOLLOWING REPLY TO FOREIGN MINISTER GROMYKO'S  
MESSAGE REGARDING US-SOVIET CIVIL AVIATION RELATIONS:

WE FULLY SHARE THE DESIRE EXPRESSE) TN THE FOREIGN  
MINISTER'S MESSAGE TO EXPAND AIR SERVICES BETWBEN OUR TWO  
COUNTRIES. WE AGREE THAT SUCH EXPANS-ON CONTRIBUTES  
POSITIVELY TO THE DEVELOPMENT OF US-SOVIET RELATIONS.

THE QUESTION OF AIR SERVICES IS, WE MAINTAIN, A MATTER FOR  
INTERGOVERNMENTAL DECISIONS. THE 1975 INTERLINE AGREEMENT  
WAS REACHED BY THE TWO CARRIERS. AFTER DETAILED AND  
CAREFUL STUDY, THE GOVERNMENT OF THE UNITED STATES  
CONCLUDED THAT THIS AGREEMENT WOULD MERELY AGGRAVATE THE  
FUNDAMENTAL IMBALANCE OF BENEFITS WHICH ALREADY EXISTS IN  
AEROFLOT'S FAVOR. THIS IMBALANCE RESULTS NOT FROM  
INSUFFICIENT EFFORTS BY PAN AMERICAN TO PROMOTE AND MARKET  
ITS SERVICES, BUT RATHER FROM STRUCTURAL DIFFERENCES WHICH  
EXIST IN OUR TWO NATIONS' POLITICAL AND ECONOMIC SYSTEMS.

FULLY RECOGNIZING THESE POLITICAL-ECONOMIC DIFFERENCES,  
THE UNITED STATES, DURING THE PAST THREE ROUNDS OF  
NEGOTIATIONS, HAS SUGGESTED VARIOUS MEANS, INCLUDING  
REVENUE POOLING, BY WHICH BOTH AIRLINES COULD EXPAND AIR  
SERVICES AND MARKET SHARES, AND AT THE SAME TIME CORRECT  
THE FUNDAMENTAL IMBALANCE. SINCE THE SOVIET UNION HAS  
SUCH ARRANGEMENTS WITH OTHER COUNTRIES, IT IS DIFFICULT  
FOR US TO UNDERSTAND WHY THE SOVIET SIDE HAS REJECTED OUR  
PROPOSALS OUT-OF-HAND, PARTICULARLY WHEN IT HAS OFFERED  
NO NEW PROPOSALS OF ITS OWN. CONTINUED FAILURE TO REACH  
AGREEMENT CAN ONLY LEAD TO A REDUCTION OF AIR SERVICES TO  
MINIMUM LEVELS, WHICH WOULD DAMAGE US-SOVIET RELATIONS.

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AT THE SAME TIME, WE NOTE THAT THE USSR CONTINUES TO  
VIOLATE THE 1966 BILATERAL AGREEMENT BY REFUSING TO SELL  
TICKETS TO CERTAIN PERSONS DESIRING TO USE PAN AMERICAN  
SERVICES. WE CONSIDER AN END TO THESE VIOLATIONS AN  
ESSENTIAL PRECONDITION FOR THE CONCLUSION OF ANY NEW  
ARRANGEMENT.

WE ARE PARTICULARLY CONCERNED ABOUT THE THREAT IN THE  
FOREIGN MINISTER'S MESSAGE TO DISALLOW CHARTER FLIGHTS BY  
US CARRIERS. IN THIS CONNECTION, WE NOTE THAT AEROFLOT  
RECEIVED RIGHTS TO SERVICE WASHINGTON ONLY WHEN WE WERE  
GIVEN ASSURANCES FOR THE FACILITATION OF CHARTER FLIGHTS  
IN 1973.

WE WELCOME YOUR STATEMENT THAT THE SOVIET CIVIL AVIATION AUTHORITIES ARE READY TO DISCUSS AND RESOLVE PROBLEMS OF COOPERATION, ON THE BASIS OF EQUALITY AND MUTUAL BENEFIT. WE BELIEVE THE SEVERAL AND VARIED PROPOSALS OFFERED BY THE UNITED STATES DURING THE PAST THREE ROUNDS OF TALKS CONTAIN BASIC PRINCIPLES FOR FURTHER, AND CONSTRUCTIVE, NEGOTIATION. WE BELIEVE IT IS NOW TIME FOR THOSE RESPONSIBLE FOR THE BROADER ASPECTS OF US-SOVIET RELATIONS TO TAKE AN ACTIVE INTEREST IN THE QUESTION OF CIVIL AVIATION AND YOUR MESSAGE INDICATES THAT THE SOVIET GOVERNMENT HAS COME TO RECOGNIZE THE SERIOUSNESS OF THE PRESENT COURSE OF EVENTS. WE TRUST THAT THE SOVIET SIDE WILL ALSO BE COGNIZANT OF THE IMPORTANCE THE UNITED STATES ATTACHES TO THE PROBLEM OF IMBALANCE. IF THE SOVIET UNION IS PREPARED TO ADHERE TO INTERGOVERNMENTAL AGREEMENTS AND ARRANGEMENTS NOW IN EFFECT AND IS WILLING TO TAKE A MORE POSITIVE APPROACH TO SOME OF THE BASIC PRINCIPLES PROPOSED BY THE US SIDE IN THE PAST THREE ROUNDS OF TALKS, WE WOULD BE PREPARED TO RESUME NEGOTIATIONS AT AN EARLY DATE, AND WOULD WELCOME YOUR PROPOSALS FOR A TIME AND PLACE FOR SUCH A RESUMPTION. END TEXT.

4. DRAFTED: EUR/SOV:MDIXON. CLEARED: SONNENFELDT.  
APPROVED: EUR:HARTMAN, EB:KATZ

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5. FOR S/S: STATE 220255, TOSEC 260078 BEING REPEATED  
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TO YOU. ROBINSON

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